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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,986	10/17/2000	Hung-Che Chiu	MR2349-504	2403

4586 7590 12/18/2003

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3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

PWU, JEFFREY C

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/688,986

Applicant(s)

CHIU, HUNG-CHE

Examiner

Jeffrey Pwu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

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DETAILED ACTION

Abstract

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 recites the limitation "the graphic file". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being unpatentable by Ebert (U.S. 6,539,423).

Ebert teaches claims:

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1. A method for wirelessly real-time transmission of financial stock graphs comprising the steps of:

entering to a hyper text transfer protocol transmission servo module of a financial quotation terminal from a subscriber's premise supporting with a wireless markup language (WML) through a mobile network (fig.6);

reading data stored in a database through a real-time graphic generating module according to a specific commodity (col.2, line 25-col.4, line 65);

translating and compressing the read data into a graphic file with a wireless bitmap format established by wireless application protocol consortium (col.6, line 30-col.9, line 38); and

transferring the graphic file to a far-end user terminal through a hyper text transfer protocol transmission servo module (col.6, line 30-col.9, line 38).

2. The method for wirelessly real-time transmission of financial stock graphs and device of the same as claimed in claim 1, wherein the subscriber's premise enters into the hyper text transfer protocol transmission servo module through a wide area network (fig.6).

3. The method for wirelessly real-time transmission of financial stock graphs as claimed in claim 1, wherein the subscriber's premise enters into the hyper text transfer protocol transmission servo module through an Ethernet (fig.6).

4. A device for wirelessly real-time transmission of financial stock graphs comprising:

a financial quotation terminal (fig.3A);

at least a real-time graphic generating module being connected to a respective financial quotation terminal (figs. 6 & 7); and

at least one hyper text transfer protocol transmission servo module (HTTP transmission servo module) being connected to a respective real-time graphic generating module (method steps of fig.7);

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each hyper text transfer protocol transmission servo module being connected to a wireless application protocol gateway through a mobile network or a mobile digital system (col.6, line 30-col.9, line 38);

wherein a far-end user enters into the HTTP transmission servo module of the present finical quotation terminal through a mobile terminal supporting with the WAP protocol and control the module through instructions matching a wireless mark language (WML) format so as to selectively generate and transfer a finical graphic information (col.6, line 30-col.9, line 38).

5. The device for wirelessly real-time transmission of financial stock graphs as claimed in claim 4 wherein the mobile terminal is a mobile phone .

6. The device for wirelessly real-time transmission of financial stock graphs as claimed in claim 4, wherein the mobile terminal is a personal digital assistant (622).

7. The device for wirelessly real-time transmission of financial stock graphs as claimed in claim 4, wherein the hyper text transfer protocol transmission servo module is connected to a mobile network through an Ethernet, or a serial communication interface and a modem (fig.6).

8. The device for wirelessly real-time transmission of financial stock graphs as claimed in claim 4, wherein the mobile network is a wide area network (Wan; col.6, line 30-col.9, line 38).

9. The device for wirelessly real-time transmission of financial stock graphs as claimed in claim 4, wherein the mobile network is an Internet (fig.6)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Pwu whose telephone number is 703 308-7835



JEFFREY PWU
PRIMARY EXAMINER